

Message

**From:** Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]  
**Sent:** 11/1/2017 11:45:13 AM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**CC:** Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]  
**Subject:** Re: Morning Energy: Assessing the impact of Pruitt's science board changes — Barrasso urges changes to Senate confirmation rules — Murkowski expresses full confidence in Zinke

Agree

Sent from my iPhone

On Nov 1, 2017, at 7:08 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

# Deliberative Process / Ex. 5

Ryan Jackson  
Chief of Staff  
U.S. EPA

Personal Matters / Ex. 6

Begin forwarded message:

**From:** "POLITICO Pro Energy" <politicoemail@politicopro.com>  
**Date:** November 1, 2017 at 5:43:16 AM EDT  
**To:** <jackson.ryan@epa.gov>  
**Subject:** Morning Energy: Assessing the impact of Pruitt's science board changes — Barrasso urges changes to Senate confirmation rules — Murkowski expresses full confidence in Zinke  
**Reply-To:** "POLITICO subscriptions" <reply-fe8e13717260007474-630326\_HTML-786581600-1376319-0@politicoemail.com>

By Anthony Adragna | 11/01/2017 05:41 AM EDT

*With help from Eric Wolff and Emily Holden*

**'PURGE' OF EPA SCIENCE BOARDS FEARED:** EPA Administrator Scott Pruitt framed his move to bar researchers who get agency grants from serving on its advisory boards as ensuring true scientific independence, but science advocates and Democrats slammed it as a "purge" of qualified scientific advice that will

profoundly alter the information Pruitt uses for evaluating public health risks and writing regulations, Pro's Emily Holden reports.

**Reactions from critics:** "He is single-handedly doing the most violence to science itself of any member of any administration in recent history," Sen. Brian Schatz told ME. And Robert Johnston, an economics professor at Clark University who has been on the Science Advisory Board for five years, said: "I've put a lot of work into trying to do my best to help the EPA use the best science possible to make good decisions on behalf of the public," Johnston said. "I think it's really unfortunate that that role is now being politicized in a way that it never has before under any administration."

**Who's affected?** At least five of the 47 current Science Advisory Board members appear to receive funding under EPA grants, and Pruitt may ultimately be able to replace more than half the members of SAB, Emily reports. At risk of losing their spots are scientists from Harvard University, Stanford University, Carnegie Mellon University and the University of California at Berkeley, who study cancer, immunology and respiratory diseases, as well as the effects of exposure to chemicals. Pruitt said SAB members "will have to choose: either the grant or service, but not both."

**What will they do?** Johnston said he got a call from EPA yesterday notifying him of the change. He will cede his advisory role, rather than give up the grant project with his students that is considering what value people place on various water quality improvements. Francine Laden, a board member who has funding to study how exposure to pollution impacts low-income communities, said she also would likely opt to keep her grant, adding she has "serious concerns about the motivations and implications of this decision."

**Coming aboard:** Michael Honeycutt, of the Texas Commission on Environmental Quality, will chair the Science Advisory Board. Tony Cox, a statistician from Cox Associates, will head the air advisory board. Both have argued against the benefits of reducing smog. Paul Gilman, chief sustainability officer at Covanta and a former EPA official under President George W. Bush, will serve as chairman of the panel that advises the Office of Research and Development. Several potential incoming members to various boards, which Pruitt said he'd announce in the coming weeks, are from state environment agencies and have been critical of Obama-era regulations. Stan Young, a scientist who formerly worked for major pharmaceutical companies and is affiliated with the Heartland Institute, and Richard Smith, a longtime consultant for the American Petroleum Institute who has opposed stricter ozone standards, are also expected to be named.

**WELCOME TO NOVEMBER EVERYBODY!** I'm your host Anthony Adragna, and the American Chemistry Council's Jonathan Corley correctly picked turnips as the original jack-o'-lantern material (creepy pic here). For today: How many redheads currently serve in Congress? Send your tips, energy gossip and comments to [aadragna@politico.com](mailto:aadragna@politico.com), or follow us on Twitter [@AnthonyAdragna](https://twitter.com/AnthonyAdragna), [@Morning\\_Energy](https://twitter.com/Morning_Energy) and [@POLITICOPro](https://twitter.com/POLITICOPro).

**TODAY! FLASH BRIEFING on Facebook, Google Hearings:** POLITICO and The Information are partnering to offer an insider flash briefing for real-time

analysis, key takeaways, and the impact that Congressional testimony about Russian involvement in the 2016 Election by representatives of Facebook, Google, and Twitter will have. Jessica Lessin will moderate a discussion and Q&A featuring POLITICO's Nancy Scola and The Information's Cory Weinberg on the hearings and their impact on legislation, the latest intel about possible connections to the Trump and Clinton campaigns, and insight into how these tech giants are responding to Russian propaganda arms like RT. Sign up for today's Flash Briefing [here](#) (\$1 trial offer for The Information), and sign up for POLITICO's Morning Tech for all latest tech news in your inbox each morning [here](#).

**GOP EYES RULE CHANGE TO SPEED CONFIRMATIONS:** Frustrated with the slow pace of confirmations, Senate EPW Chairman [John Barrasso](#) said Tuesday he wants to lower the amount of time that can be used post-cloture to speed confirmations of various nominees. "I believe it is time to change the rules of the Senate ... so that President Trump can get his team in place," he said.

**Majority Leader [Mitch McConnell](#) appeared to back** the proposed change, POLITICO's Elana Schor [reports](#). Another member of Senate Republican leadership, [Roy Blunt](#), added: "Protections of the minority in the Senate rules is only there until the minority takes advantage of those protections." ME would note Republicans routinely dragged out the process on Obama-era nominations, and some of the current delays stem from internal Republican disputes.

**Speaking of which,** Energy Chairman [Lisa Murkowski](#) said there had been no progress in freeing a host of DOE, FERC and Interior nominations from being held up due to a hold [Jim Inhofe](#) placed on Democratic FERC nominee Richard Glick over inaction on multiple EPA and NRC picks. "Inhofe is making good progress in working with leadership to prioritize floor consideration of EPA nominees," a spokeswoman told ME. "He is optimistic that they will come to an agreement soon and he can lift his hold on Richard Glick."

**HELP WANTED:** Puerto Rico's utility asked two trade groups — American Public Power Association and the Edison Electric Institute — in a [letter](#) Tuesday to send mainland crews to help get the lights back on the island and both agreed. "While this will not be a typical restoration process, we are fully committed to overcoming those challenges and to bringing our experience and resources to Puerto Rico," the groups said in a [letter](#) in response.

**FEMA: Nothing spent on Whitefish deal:** FEMA Administrator Brock Long told a Senate committee "not one dollar" of the agency's funds were spent on the now-cancelled \$300 million contract awarded to Montana-based Whitefish Energy for grid restoration work on the island. "There's no lawyer inside FEMA that would've ever agreed to the language that was in that contract to begin with," Long said.

**On the Hill today,** House Democrats hold a press conference with San Juan Mayor Carmen Yulín Cruz at 10:30 a.m. in HVC-210 Alcove in the Capitol Visitor Center after the Homeland Security Committee axed a planned hearing with her. "What are they afraid of?" she asked in a [video](#) posted to Twitter.

**Murkowski planning trip to island:** Murkowski says she's planning to visit the devastated island, where just 33 percent of people have electricity, "shortly" and said her priority remains getting the lights on as quickly as possible following the Whitefish contract's cancellation. "My real interest is going to be to ensure that we don't have a delayed or protracted delay in getting to the work," she told reporters. "Really, we got to get moving here."

**DOE OUTLINES OBAMA-ERA NON-COMMERICAL TRAVEL:** Obama-era Energy officials used government aircraft on three occasions and a non-commercial plane once during 2016, according to records submitted to the House Oversight Committee on Tuesday. Then-Energy Secretary Ernest Moniz flew on a government plane while traveling on official business to Mexico City in January 2017 and took a Bonneville Power Administration plane during a trip in Washington in August 2016. Then-Deputy Secretary Elizabeth Sherwood-Randall also used a Bonneville aircraft to tour the Grand Coulee Dam in February and a Southern Co. plane to visit the Vogtle and Kemper plants in March 2016.

**TAX ROLLOUT KICKED:** House Ways and Means members postponed the rollout of their much-anticipated tax bill until Thursday as many of the critical details remain undecided, POLITICO's Rachael Bade, Bernie Becker, Brian Faler and Aaron Lorenzo report. Critically, lawmakers have yet to iron out how to pay for their proposed \$5.5 trillion in tax cuts, since any major revenue-generator is certain to antagonize some powerful lobby or group of lawmakers who could defeat it.

**MAJOR ENERGY DISCUSSION DRAFT RELEASED:** After months of gathering input, House Natural Resources Chairman Rob Bishop released a discussion draft of legislation overhaul onshore and offshore energy development regulations. "This comprehensive overhaul of upstream energy policy creates the regulatory certainty that is needed to spur economic investment on federal lands," he said in a statement. A Natural Resources subcommittee holds a legislative hearing Nov. 7 on the draft.

**Forest bill gets a vote:** House lawmakers today take up the Resilient Federal Forests Act H.R. 2936 (115), which overhauls forest management activities on public lands. Critics say it eviscerates bedrock environmental laws.

**MURKOWSKI: FULL CONFIDENCE IN ZINKE:** Concerns over his non-commercial travel, the controversial \$300 million Whitefish Energy contract and various campaign activities haven't shaken Murkowski's faith in Interior Secretary Ryan Zinke. "What I can tell you is [that on] the issues that we have been working with him on, he is dogged, he is focused," she told reporters. "We're good."

**Attractions yet to come:** Murkowski has no plans to bring Zinke or Energy Secretary Rick Perry before the committee this month, but hopes to schedule a hearing with Perry after the comment period on his grid resiliency push closes at FERC. "That would be an interesting hearing," she said. "There's been a lot of focus on that and a lot of interest in it."

**UH OH:** Current emissions reduction pledges fall far short of meeting the Paris climate agreement's goals and make a temperature increase of at least 3 degrees

Celsius by 2100 "very likely," the United Nations Environment program warned Tuesday. POLITICO Europe's Kalina Oroschakoff [has more](#).

**But some good news for Paris supporters:** Alaska Gov. Bill Walker announced Tuesday his state intends to hit the goals of the Paris climate accord and announced a new committee to address climate change impacts, Pro's Eric Wolff [reports](#). Walker, an independent, called climate change a "nonpartisan issue."

#### **CONFIRMATION HEARING WATCH — GARRETT GETS HIS DAY:**

Ahead of his hearing today on his nomination to run the Export-Import Bank, former Rep. Scott Garrett switched positions and said in [prepared testimony](#) that, if confirmed, "the Export-Import bank will continue to fully operate, point blank." But look for committee members to aggressively press him on that: "Simply saying he now supports the bank this way doesn't mean his personal attitude about the bank has actually changed," Sen. [Heidi Heitkamp](#) told reporters. The Senate Banking Committee kicks [the session](#) off at 10 a.m.

**NASA pick up as well:** Oklahoma Rep. [Jim Bridenstine](#) gets a Senate Commerce confirmation hearing today on his controversial NASA chief nomination at 10 a.m. Look for questions about his views on climate change to pop up among panel Democrats. Watch [here](#).

**Clovis still moving forward:** Senate Agriculture Chairman [Pat Roberts](#) said he still intends to move ahead with Sam Clovis' controversial selection to be USDA's chief scientist and described him as "a fully cooperative witness" in the Senate's investigation into Russian interference in the 2016 election, Pro Agriculture's Catherine Boudreau and Josh Dawsey [report](#). That comes as NBC News [reports](#) Clovis met with special counsel Robert Mueller's team and testified before the investigating grand jury last week.

**WATCH THE FLOOR:** Climate Solutions Caucus members, led by Rep. [Dan Lipinski](#), plan to hit the House floor late this afternoon during so-called special orders to discuss their priorities for climate action in the coming year. Republicans and Democrats are both expected to participate.

#### **MAIL CALL! CONCERNS OVER RUSSIAN MEDDLING IN ENERGY**

**MARKET:** House Science Chairman [Lamar Smith](#) sent letters to [Facebook](#), [Twitter](#) and [Alphabet](#) seeking information on "Russian entities purchasing anti-fracking or anti-fossil fuel advertisements or promotions" on their platforms.

**New England lawmakers bash EPA scientist censorship:** Four New England senators and seven congressmen sent Pruitt a [letter](#) Tuesday seeking information about the decision to cancel the presentations of three scientists at a workshop on the health of Narragansett Bay. "You would not have taken kindly to Washington bureaucrats telling scientists in Oklahoma they couldn't speak with Oklahoma organizations to come up with 'neighborhood solutions' to better protect public health and a critical economic asset," they wrote. "Neither do we."

**Time for an update:** Seventeen House lawmakers, led by [Tim Walberg](#), sent FERC Chairman Neil Chatterjee a [letter](#) asking for a list of changes and reforms to the Public Utility Regulatory Policies Act the commission it believes it can make under existing authority. Among the changes they seek is undertaking

"needed modernization to the Commission's PURPA one-mile rule regulations while taking into consideration non-geographic factors as well."

**Truckers want biodiesel blenders credit, not producers:** A group of trucking organizations want Congress to revive the biodiesel blenders tax credit and phase it down slowly. And they don't want it turned into a producers credit, as some Midwestern senators like [Chuck Grassley](#). "Shifting to a producer credit on the other hand would limit supply and raise the price of both diesel fuel and heating oil," NATSO and the other organizations wrote in a [letter](#) to House Ways and Means and Senate Finance leadership. "It would also subject the United States to potential trade policy disputes."

**TAKE A GLANCE:** Oceana is out with [new maps](#) highlighting what it says are Defense Department concerns that 94 percent of the waters off Virginia's coast and an estimated 78 percent of the waters off Georgia's coast are incompatible with offshore drilling due to military operations.

**MUCH UNUSED ALASKAN ACREAGE:** The Wilderness Society is out with a memo today ahead of a Thursday hearing in the Senate Energy and Natural Resources on drilling in ANWR that more than 22 million Arctic Alaskan acres currently available for lease are untouched. Read it [here](#).

**MOVER, SHAKER:** Paul Wight has joined Bracewell LLP as a partner in its energy regulatory group. He comes from Skadden, Arps, Slate, Meagher & Flom LLP.

## QUICK HITS

— Boulder asks EPA to meet with residents about Clean Power Plan repeal. [Daily Camera](#).

— Gov. Dannel P. Malloy Signs Millstone Bill, But Points to Power Plant's Profitability. [Hartford Courant](#).

— Gov. Greg Abbott makes pitch in Washington for \$60 billion in Texas Harvey aid. [Dallas Morning News](#).

— Top Trump environmental pick said goal of UN 'climate crusade' is 'all-powerful' government. [CNN](#).

— U.S. gasoline demand rises modestly in August: EIA. [Reuters](#).

## HAPPENING TODAY

9:30 a.m. — Center for American Progress hosts call to discuss potential opening up of ANWR to drilling, RSVP: [Gwen@AlaskaWild.org](mailto:Gwen@AlaskaWild.org)

10:00 a.m. — Senate Commerce Committee confirmation [hearing](#) for Commerce and NASA nominees, Russell 253

12:30 p.m. — "A Practitioner's Approach to Financing Energy Efficiency in Emerging Market," Bernstein-Offit Building, 1717 Massachusetts Avenue NW, Room 500

3:00 p.m. — "Developing Low Carbon Economies in Latin America," The Wilson Center, One Woodrow Wilson Plaza, 1300 Pennsylvania Ave. NW

6:00 p.m. — American University's Center for Environmental Policy hosts a conversation with former EPA Administrator Gina McCarthy, Kerwin Hall, Room 301

## **THAT'S ALL FOR ME!**

*To view online:*

<https://www.politicopro.com/tipsheets/morning-energy/2017/11/assessing-the-impact-of-pruitts-science-board-changes-025322>

## **Stories from POLITICO Pro**

### **Pruitt seeks independent science advisers, critics see purge [Back](#)**

By Emily Holden | 10/31/2017 05:22 PM EDT

EPA Administrator Scott Pruitt banned researchers who get EPA grants from serving on its advisory boards Tuesday, a move critics say will purge the influential bodies of top scientists and replace them with advisers from energy companies and conservative groups.

The move is the latest shift at EPA by Pruitt, who long contended during his previous role as Oklahoma attorney general that the agency had ignored states and businesses it regulated. Pruitt's move is expected to alter the advice from the scientific boards that is used for evaluating public health risks and writing regulations.

Pruitt said his new directive was designed to ensure the scientists who were giving EPA advice were truly independent, and not receiving agency funding. Current science board members had received \$77 million in research funding over the past three years, he said.

"To the American people across the country, we want to ensure that there's integrity in the process and that scientists that are advising us are doing so with not any type of appearance of conflict," he told an event at EPA headquarters with Rep. [Lamar Smith](#) (R-Texas), who heads the House Science Committee, and Sens. [Jim Inhofe](#) (R-Okla.) and [Mike Rounds](#) (R-S.D.).

Environmental advocates and Democrats quickly condemned the announcement as hypocritical, since many of the industries that could have representation on the boards stand to benefit from Pruitt's efforts to roll back or stall environmental standards.

"It flies in the face of a long history of Republicans and Democrats who took their jobs seriously as EPA administrator," Sen. Brian Schatz (D-Hawaii) told POLITICO. "He is single-handedly doing the most violence to science itself of any member of any administration in recent history."

Sen. Tom Carper (D-Del.) said Pruitt's "efforts to delegitimize the work of nonpartisan scientists doesn't just offend the long tradition of this science-based agency," but also "endangers the health of every American."

"Mr. Pruitt has repeatedly worked to silence EPA scientists, deny the facts and discredit science inconvenient to his agenda; now he's trying to get rid of agency access to scientific advice altogether," Carper said in a statement.

The new policy applies to EPA's Science Advisory Board, which considers whether the research the agency uses to make decisions on protect public health is rigorous enough, as well as the Clean Air Scientific Advisory Committee, which is required by law to recommend science-based standards to control air pollution. It also applies to the Board of Scientific Counselors, which advises EPA's Office of Research and Development.

At least five of the 47 current SAB members appear to receive funding under EPA grants, according to an analysis by the Union of Concerned Scientists.

Members, Pruitt said, "will have to choose: either the grant or service, but not both."

Three other SAB members who are serving unexpired terms did not appear on an unconfirmed list of prospective members, while some other members' terms won't be renewed. In all, Pruitt could fill more than half the spots on the panel.

"The real intention of doing this is so he can wipe out the current composition of the Science Advisory Board," said Joe Arvai, a researcher from the University of Michigan whose SAB term ended in September and will not be renewed. "They know the numbers. They know if they can do this, they can effectively wipe from the rolls the vast majority of people the previous administration appointed."

Arvai said the new directive would allow Pruitt to stack the board with "scientists for hire who would be more than happy to rubber-stamp his deregulatory agenda."

Angela Nugent, a staffer for the SAB from 1998 to 2015, said that board's vetting for potential conflicts of interest was already extensive, and she noted that industry scientists already held spots on the SAB, which has reviewed such controversial issues as the environmental impacts of fracking for oil and gas.

"We try to get eminent scientists on the SAB, its standing subcommittees and its panels," Nugent said. "We want to get people who can speak authoritatively from their disciplinary perspective."

The other board, CASAC, recommends acceptable levels of pollutants such as soot, smog, lead, sulfur dioxide, nitrogen dioxide and carbon monoxide. It has long been a target for Republicans and industry groups who say EPA scientists have an anti-business bias and conceal data they use to come to conclusions. But



the courts have repeatedly required the agency to abide by CASAC recommendations.

The dismissals appear to hit scientists from Harvard University, Stanford University, Carnegie Mellon University and the University of California at Berkeley who study cancer, immunology and respiratory diseases, as well as the effects of exposure to chemicals.

Their replacements, according to the list of new appointees, could include Richard Smith, a longtime consultant for the American Petroleum Institute and University of North Carolina professor who has opposed tougher ozone standards and questioned benefits the Obama administration claimed for lowering particulate matter levels.

Another new appointee is Stan Young, a scientist who formerly worked for major pharmaceutical companies and is affiliated with the Heartland Institute, an advocacy group that argues there is no link between human activity and climate change.

Several potential incoming members are from state environment agencies, including former North Carolina Department of Environmental Quality Donald van der Vaart, a chemical engineer. Van der Vaart opposed the Obama EPA's climate standards for power plants, which Pruitt has begun to unwind.

Myron Ebell, an early EPA adviser to the Trump administration who works at the conservative Competitive Enterprise Institute, said van der Vaart is an "outstanding" choice, citing his doctorate in chemical engineering from Trinity, Cambridge, a law degree, and a substantial publication record in science and law.

"But on top of that he knows how science interacts with regulation and also how the EPA interacts with state environmental agencies because he has been an air regulator in N.C. for over 20 years and served for several years as secretary of environmental protection in the McCrory administration," Ebell said.

Pruitt also announced the heads of the three panels on Tuesday and said he will disclose other appointees in the next week.

Michael Honeycutt, of the Texas Commission on Environmental Quality, will chair the Science Advisory Board, while Tony Cox, a statistician from Cox Associates, will head the air advisory board. Both have argued against the benefits of reducing smog, which irritates the lining of the lungs and can cause asthma attacks.

Paul Gilman, chief sustainability officer at Covanta and a former EPA official under President George W. Bush, will serve as chairman of the panel that advises the Office of Research and Development.

Among the scientists losing their positions is Robert Johnston, an economics professor at Clark University who has been on the Science Advisory Board for five years. His research team receives EPA funding to study how and why Americans value and benefit from different kinds of improvements to water

quality improvements, one of the core causes that Pruitt has repeatedly said he supports.

Johnston said his grant hasn't affected his advice to EPA on a range of issues, from toxicology assessments to methods for evaluating the benefits and costs of environmental regulations.

"I've put a lot of work into trying to do my best to help the EPA use the best science possible to make good decisions on behalf of the public," Johnston said. "I think it's really unfortunate that that role is now being politicized in a way that it never has before under any administration. In my personal view, this doesn't have anything to do with science, it has to do with politics."

Scientists at academic institutions typically get their funding from a variety of government sources and foundations, as well as some companies who are seeking unbiased information on specific issues.

Former EPA officials familiar with the boards stressed that they review each member's work history for any appearance of bias.

"There are systems to make them competitive, independently reviewed and selected away from the politics of EPA," said Tom Burke, the head of the Office of Research and Development under former President Barack Obama. "So the question becomes, why would EPA choose to eliminate from service to our national EPA the best and brightest from the fields of environmental science?"

*Anthony Andragna and Eric Wolff contributed to this report.*

*To view online [click here](#).*

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**McConnell floats rules change to limit debate on nominations** [Back](#)

By Elana Schor | 10/31/2017 04:07 PM EDT

Senate Majority Leader Mitch McConnell (R-Ky.) suggested on Tuesday that he would support a rules change limiting Democrats' ability to delay confirmation of President Donald Trump's nominees.

Although they cannot filibuster Trump's nominees because of previous rules changes, Democrats have tied up the Senate floor with lengthy confirmation debates — from [Cabinet](#) nominees to a series of less-senior names whose approvals were delayed during the tense battle over Obamacare repeal.

McConnell has [committed](#) to maintaining the Senate minority's power to filibuster legislation, but on Tuesday he left the door open to backing further limits on Democratic slowdowns of the confirmation process.

The consideration process for presidential nominees "is a different matter" than the legislative filibuster, McConnell said, lambasting recent Democratic slowdowns as "just simply ridiculous."

McConnell's protest rings hollow for Democrats who keenly recall his obstruction of former President Barack Obama's nominees, including Judge Merrick Garland's failure to get a hearing after Obama nominated him to the Supreme Court.

"Sen. McConnell does not come to the court with clean hands on these issues," Senate Minority Leader Chuck Schumer (D-N.Y.) told reporters when asked about the Kentucky Republican's suggestion of a future rules change. "He delayed and blocked so many of Obama's nominees."

Schumer, like many of his fellow Democrats, also noted that Trump already has gotten more judges confirmed to the federal bench than Obama did at the same point in his presidency, despite the GOP's push for a faster pace of confirmations.

McConnell cited a proposal crafted by Sen. James Lankford (R-Okla.) that would limit the minority's power to run out the clock after debate has been formally curtailed. Lankford began floating the idea in April as Democrats forced a procedural showdown over the confirmation of Supreme Court Justice Neil Gorsuch — who occupies the seat Garland had been nominated to fill.

The Senate currently has 30 hours of floor time to discuss a nominee after cloture is invoked to limit debate, and Lankford's plan would limit that to 8 hours.

McConnell said on Tuesday that "there may be a possibility to adjust" the amount of time Democrats have to prolong floor debate on nominees after cloture is invoked "in a way more consistent with the Senate, and the administration getting its positions filled in a timely fashion."

McConnell suggested that Lankford is seeking Democratic buy-in for the rules change, and Lankford said through a spokesman: "Conversations with my colleagues about my proposal have been positive. The American people expect us to get more work done."

But another member of GOP leadership said that bipartisanship shouldn't be a requirement in order to limit the minority's ability to force lengthy confirmation debates.

If Democrats don't scale back their delays, "I think we should do whatever is necessary, either with cooperation or without, to stop that procedure from being used to keep us from the other work we need to do," said Missouri Sen. Roy Blunt, No. 5 in Republican leadership. "It's obvious that's what they're doing."

*To view online [click here](#).*

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## House GOP delays tax bill rollout [Back](#)

By Rachael Bade, Bernie Becker, Brian Faler and Aaron Lorenzo | 10/31/2017  
05:43 PM EDT

House Republicans postponed the much-anticipated rollout of their tax reform proposal Tuesday night, an ominous sign for a direly needed legislative accomplishment for President Donald Trump and his party.

House Ways and Means Committee members spent all day Tuesday holed up in conference rooms trying to iron out last-minute disagreements. Senior committee staff worked through the night Monday and were expected to do the same on Tuesday to unveil the bill at a GOP Conference meeting at 9 a.m. Wednesday.

But in a move that foreshadows the difficulties awaiting the party of Reagan, GOP leaders and tax writers postponed their big reveal to buy themselves more time. They now hope to release the bill Thursday but privately acknowledge they have a number of disagreements to resolve first.

The delay comes despite the half-decade Republicans have spent readying themselves for this very moment. The Ways and Means Committee for years has held tax hearings and working groups, but overhauling the code means creating winners and losers in a politically sensitive environment.

The stakes couldn't be higher. After failing to repeal Obamacare, tax reform could mean the difference between a Republican majority and a Democratic takeover in 2018.

But for the bill to pass, Republicans — known for their constant infighting — will have to unify. That's proving easier said than done.

Rumors of a potential postponement started to spread Tuesday afternoon. At the center of the problem were questions about how to pay for the proposed \$5.5 trillion in tax cuts, since any major revenue-generator is certain to antagonize some powerful lobby or group of lawmakers who could defeat it.

"Our plan is to release the bill tomorrow," Ways and Means Committee Chairman Kevin Brady told reporters Tuesday afternoon, leaving himself some wiggle room for a delay. Asked whether the expected Wednesday release would be legislative text, Brady responded: "When we release the bill, it will be text."

Later, Brady issued a statement formally announcing the delay, adding, "We are pleased with the progress we are making and we remain on schedule to take action and approve a bill at our Committee beginning next week."

Some details of the bill started leaking out Tuesday after Speaker Paul Ryan briefed conservative leaders on text that had been finalized. The proposal, sources in the meeting said, would lower the corporate tax rate to 20 percent, meeting their initial goal. They've also decided to keep the current top 39.6 percent tax rate on the wealthiest individuals — though they have not settled on which incomes would be hit by that rate.

Ryan told conservative group leaders Thursday that the income threshold for the top rate would likely be higher than it currently is, likely between \$750,000 and \$1 million. He said the estate tax would likewise be repealed but may have to be phased out to save money in the short term.

But it's the unresolved issues that caused Ways and Means members the most heartburn this week — and ultimately led to the delay. Those include: how to win over GOP lawmakers from high-tax states that are balking over curbing the state and local tax deduction, which their constituents rely on. There are also question about how to ensure that wealthy individuals don't take advantage of the lower 25 percent small business or "pass-through" rate.

Many of the unresolved items are hot-button issues, including what to do with 401(k) retirement plans.

Trump asked Brady in a phone conversation last week to drop his plans to curb such tax preferred savings. And some senior House Republicans who believe that doing so would incite severe pushback have been urging Brady to leave the matter alone.

But Brady has refused to ditch the idea of imposing some limitation on the popular retirement plans. The reason comes down to basic math: Republicans want to lower the corporate tax rate to 20 percent, and collapse and lower individual rates into four brackets — and targeting 401(k) plans could help pay for those cuts.

The search for cash is one reason the panel earlier this week briefly considered the idea of phasing in the lower corporate tax rate over several years instead of immediately all at once — an idea Senate tax writers has discussed.

But the White House and more than a few GOP tax committee members quickly nixed that proposal, and it is not expected to be included in the legislation.

"We're not looking for that, no," Trump told reporters when asked Tuesday whether he was open to such a phase-in. "We're not looking for that. Hopefully not."

Ways and Means members have been trying to tweak other provisions in search of savings. Sources say the panel has been sending proposals to the Joint Committee on Taxation several times a day to see how much money they would save, and then shopped the ideas to panel members.

"I would say there is a lot of Red Bull and Monster being drank in there right now," said Rep. Doug Collins (R-Ga.), vice chairman of the House Republican Conference. "The whole Ways and Means crew knew this would be a tough lift — and we've not even gotten to the rollout of the actual details yet!"

The vast majority of House Republicans have only an inkling of what's in the legislation. The details, including the key question of who loses under the legislation, have been closely held by party leaders for months in order to keep lobbyists at bay. Even tax aides to members of the Ways and Means committee have not yet been briefed on the plan.

Ryan "said the committee is 'turning the dials' and getting it to work. It's all last-minute stuff," said Scott Hodge, president of Tax Foundation, as he left Ryan's office after meeting with the speaker. "I think they have all this — it's just a matter of tweaking ... addressing certain members' interests and concerns."

During a gaggle Tuesday, Brady suggested there were plenty of key decisions that still needed to be made before a measure could be rolled out, and that the GOP Conference's response would likely lead to some changes in the bill before it's considered by his committee — a mark-up that's supposed to be next week.

Without offering details, Brady said the House bill would either strengthen retirement accounts or leave them as is, and noted that he still planned to have further meetings with GOP lawmakers from New York and New Jersey concerned about the state and local tax deduction ahead of the tax overhaul's release.

"We certainly are listening very carefully to make sure that we're delivering tax relief for those families," he said.

And asked whether final decisions had been made on expanding the child tax credit and where to set individual brackets, Brady would offer only: "I think we have a real good feel for all of this."

Time is running out to move those dials, however. And Republicans may have to release their tax plan without all the wrinkles ironed out.

Some Republicans think that's exactly what will happen with the dispute over the state and local tax deduction. As a middle ground, Brady has floated the idea of allowing people to deduct their property taxes. But leaders are not sure the change would be enough to win over Republicans from New York and California who could block any tax bill that hurts their constituents.

By leaving some matters unresolved, GOP leaders risk blowback at a time when they're in desperate need of momentum. House leaders hope to pass the tax bill by Thanksgiving and send the bill to Trump before the end of the year.

They could know as early as Thursday afternoon whether that's an impossible feat. Within just a few hours of unveiling their Obamacare replacement bill last spring, GOP leaders knew they had a serious problem: Conservatives came out swinging against the plan, which they dubbed "Obamacare lite."

Something similar happened when former Ways and Means Chairman Dave Camp (R-Mich.) released his own tax bill in 2014. The Republican Conference turned on him and the bill, scoffing at the pay-fors and leaving the bill dead in the water.

GOP leaders and Brady are doing their utmost to safeguard against such a situation this time.

Ryan (R-Wis.) huddled with Trump at the White House on Tuesday afternoon before meeting with conservative tax leaders who are expected to help defend the tax plan against attacks from Democrats or K Street. And they're expected to try

to rally the GOP Conference around the bill Thursday morning — if there's a bill by then.

Even if the already-delayed rollout goes smoothly, the tax bill has a long road ahead.

The Senate tax bill, expected to be released next Wednesday, is likely to look different from the House's. Some of the tough choices that the House made might not fly among Senate Republicans, who have a narrow margin for passage and can lose only two GOP votes.

Sen. John Thune, the chamber's No. 3 Republican, for instance, said the Senate is undecided about what to do with the state and local tax deduction.

"We're trying to sync this up as much as we can, but we realize there's going to be differences of opinion," said Thune.

Sen. Bob Corker (R-Tenn.) suggested that resolving those issues might drag them well past New Year's Eve.

"I know there's going to be a lot of hype around the fact that if Republicans somehow don't pass tax reform by the end of the year, then X happens, but I'm a lot more focused on the details of the policies that we put in place," he said. "If it takes longer to get it done right, that's not an issue to me."

*Nancy Cook, Josh Dawsey and Colin Wilhelm contributed to this report.*

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**Alaska to tackle climate change, meet Paris goals** [Back](#)

By Eric Wolff | 10/31/2017 03:55 PM EDT

Alaska Gov. Bill Walker (I) said today the state will try to meet the goals of the Paris climate accord, and he announced the creation of a new committee to address the impacts of climate change.

Walker, a former Republican turned independent in 2014, called climate change a "nonpartisan issue."

"We're going to follow the goals of the Paris accord," he said. "We're going to do them in our time frame, and in our way. "

President Donald Trump earlier this year promised to withdraw the U.S. from the Paris climate agreement, but some states and cities aim to comply on their own.

Walker said he recognized the contradiction in trying to address climate change from a state whose economy is 70 percent based on oil and natural gas production.

"There are those who will say, 'How do you balance the two?' But we have to," he said. "We will continue to responsibly develop our non-renewable resources and use that as the bridge funding to do what we need to do deal with the impact of climate change on Alaska."

At least 10 villages in Alaska will have to be uprooted before they are swamped by rising sea levels, and Walker said he was "not confident" the federal government will help with relocation costs.

**WHAT'S NEXT:** Lt. Gov. Byron Mallott (I) will chair Walker's Climate Change for Alaska Leadership Council, and he will seek nominees for the rest of the board's seats.

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**Clovis said to be 'cooperative witness' in Senate Russia probe** [Back](#)

By Catherine Boudreau and Josh Dawsey | 10/31/2017 12:44 PM EDT

Sam Clovis, President Donald Trump's controversial nominee to be the Agriculture Department's chief scientist, has been "a fully cooperative witness" in the Senate Intelligence Committee's investigation of Russian interference in the 2016 election, Senate Agriculture Chairman Pat Roberts told POLITICO.

Clovis, a former co-chair and policy adviser to Trump's campaign, knew that another campaign adviser, George Papadopoulos, was talking to Russians, according to documents released Monday as part of special counsel Robert Mueller's probe and campaign and administration officials.

Papadopoulos was arrested in late July and pleaded guilty to a charge that he made false statements to the FBI about his contact with a professor who has ties to the Kremlin and promised thousands of pages of emails related to Hillary Clinton.

Meanwhile, NBC News reported Tuesday that Clovis has been questioned by Mueller's team and has testified before Mueller's grand jury.

Clovis' nomination to the top scientific job at the Agriculture Department has already drawn significant opposition from Democrats and scientists who have raised concerns about his climate-change skepticism, his credentials and his history of making disparaging statements about blacks, women, LGBT individuals and others. But there's been no public opposition from Republicans.



Roberts said Monday that he planned to continue with a scheduled Nov. 9 confirmation hearing. But on Tuesday, when asked whether he'd consider delaying the hearing amid the Russia developments, he said that was "to be determined."

"I don't think he's a target of any investigation," Roberts said of Clovis on Monday, describing him as someone likely on the fringes of the inquiry.

Clovis brought Papadopoulos into the campaign in March 2016, when he was asked to put together a foreign-policy advisory committee, according to the administration and campaign officials, who spoke on the condition of anonymity. Trump felt pressure to hastily assemble a team because he was getting criticism for a lack of foreign policy manpower, these people said.

But Clovis, an Air Force veteran and radio host who taught management and public policy at Morningside College in Iowa until 2015, didn't have foreign-policy connections and scrambled to find people willing to align themselves with Trump. He brought in a group of people with little vetting, the officials said.

Papadopoulos had little contact with most campaign insiders, but he was in touch with Clovis, the people said.

Victoria Toensing, a lawyer representing Clovis, said in an e-mailed statement that after an initial meeting of the advisory panel, all of Papadopoulos' communications with the campaign were "self-generated," and that Clovis did not believe an improved relationship with Russia should be a foreign policy focus of the campaign.

"Dr. Clovis always vigorously opposed any Russian trip for Donald Trump or staff," Toensing said. "However, if a volunteer made any suggestions on any foreign policy matter, Dr. Clovis, a polite gentleman from Iowa, would have expressed courtesy and appreciation."

Neither Senate Intelligence Committee officials nor the USDA press office responded to a request for comment.

Minority Leader Chuck Schumer and Agriculture ranking member Debbie Stabenow, along with a handful of other Democrats, have publicly announced their opposition to Clovis. They argue that Clovis does not have the academic and research background required for the post, and also point to the disparaging comments, including some about former President Barack Obama and House Minority Leader Nancy Pelosi.

*Elana Schor contributed to this story.*

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